

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/768,003

REMARKS

I. Rejection under 35 U.S.C. § 102(e) over U.S. Patent No. 6,646,975 to Uchizaki et al. (“Uchizaki”)

Claims 1-18 have been examined and have been rejected under 35 U.S.C. § 102(e) over Uchizaki.

A. Claim 1

Claim 1 comprises a light source that has a plurality of light emitting portions. Also, the light source is positioned such that a straight line connecting respective light emitting points of the plurality of light emitting portions is coincident with a tangential line of a track on a disc to be reproduced.

On the other hand, Figs. 2A and 2B of Uchizaki show an optical integrated unit 11 that has a semiconductor laser (“LD”) 31. The LD 31 emits a first laser beam L1 having a beam center 31A and emits a second laser beam L2 having a beam center 31B. (Figs. 3B and 5; column 9, lines 58-63; column 10, lines 12-22). As shown in Figs. 2A and 2B, a straight line that connects the points emitting the beams L1 and L2 is parallel to the Y direction, and the Y direction corresponds to the radial direction of the disc 18 or 19. (Column 9, lines 28-29). Therefore, in Uchizaki, the alleged light source 31 is not positioned such that a straight line connecting respective light emitting points of the beams L1 and L2 is coincident with a tangential line of a track on the disc 18 or 19.

The Examiner contends that Fig. 1 of the reference suggests the claimed features above, but Applicant respectfully disagrees. Specifically, the Examiner states that Fig. 1 shows that the unit 11 emits a light beam, which is parallel to the tracks of the disc. However, this does not

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teach that a straight line, which connects light emitting points of a plurality of light emitting portions, is coincident with a tangential line of a track on a disc. In fact, as discussed above, Uchizaki actually teaches that such a straight line is perpendicular to the tangential line and thus, teaches away from the claimed limitation.

B. Claims 2-6

Since claims 2-6 depend upon claim 1, Applicant submits that they are patentable at least by virtue of their dependency.

C. Claims 7-12

Since Applicant has canceled claims 7-12 without prejudice or disclaimer, the rejection of these claims is moot.

D. Claim 13

Claim 13 comprises a first four-division photodetector and a second four-division photodetector. On the other hand, Uchizaki suggests only one four-division photodetector 35. (*See, e.g., Fig. 5.*)

In addition, claim 13 states that central division lines of the first and second four-division photodetectors are in alignment with one another and are coincident with a tangential direction of a track of the object disc. Also, the claim states that a first sub-photodetector is disposed on one side of the first and second four-division photodetectors in a direction along which the central division lines extend and that a second sub-photodetector is disposed on another side of the first and second four-division photodetectors in the direction along which the central division lines extend. Since Uchizaki only discloses one four-division photodetector 35, it cannot suggest the orientation of the claimed photodetectors and sub-photodetectors.

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Accordingly, Applicant submits that claim 13 is patentable over the reference.

E. Claims 14-17

Since claims 14-17 depend upon claim 13, Applicant submits that they are patentable at least by virtue of their dependency.

F. Claim 18

Since Applicant has canceled claim 18 without prejudice or disclaimer, the rejection of the claim is moot.

II. Newly added claims

Applicant has added new claims 19-28 to provide more varied protection for the invention. Since claims 19 and 26 contain features that are similar to features discussed above in conjunction with claims 1 and 13, respectively, Applicant submits that claims 19 and 26 are patentable for similar reasons. Also, since claims 20-25, 27, and 28 depend upon claim 19 or 26, Applicant submits that these claims are patentable at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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